

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
AUGUST 3, 2004
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Robert A. Cushing, Jr., John F. Cook, Daniel S. Power, Paul J. Escobar, and Anthony W. Cobos. Absent: None. Late arrivals: Susan Austin at 9:02 a.m., Jose Alexandro Lozano at 9:02 a.m., and Vivian Rojas at 9:05 a.m.. Meeting was called to order at 9:00 a.m. and the invocation was given by Police Chaplain Clift Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATION

1. National Night Out

CERTIFICATES OF APPRECIATION

*Certificates of Appreciation for the Teen Volunteers
at Armijo, Chihuahueta and Latch Key Centers*

Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.

(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the following Minutes:

- Regular City Council Meeting of July 27, 2004
- Special City Council Meetings (Budget Hearings) of July 12, 26, 28 and 29, 2004
- Special City Council Meetings (City Manager) of July 18, 21, 22 and 26, 2004.

Motion made by Representative Rojas, seconded by Representative Cushing and unanimously carried to postpone one (1) week the Minutes for the Regular City Council Meeting of July 20, 2004

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), W2001 TBT Real Estate Limited Partnership ("Assignor") and Computer Labs, Inc. ("Assignee") for the property described as portions of Lots 4 and 5, Block 6, Butterfield Trail Industrial Park, Unit One, Replat "A", City of El Paso, El Paso County, Texas, municipally known and numbered as #3 Butterfield Trail, El Paso, Texas.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Agreement between the City of El Paso and Transmountain Oil Company, L.C. for the transfer and receipt of the Internal Revenue Service refund for the 2002 Claim of overpaid Federal Excise Taxes in the amount of \$9,889.00.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Fourth Amendment to Golf Course Operation and Concession Agreement between THE CITY OF EL PASO ("Lessor"), and GOLF MANAGEMENT, INC. ("Concessionaire") for the real property known as Lone Star Golf Course located at 1510 Hawkins Boulevard, El Paso, Texas.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Second Amendment to Lease dated January 1, 1997, by and between THE CITY OF EL PASO ("Lessor"), and THE KENNEDY 1978 TRUST ("Lessee") covering the property municipally known and numbered as 35 Celerity Wagon, El Paso, Texas.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Third Amendment to Lease dated January 1, 1997, by and between THE CITY OF EL PASO ("Lessor"), and THE KENNEDY 1978 TRUST ("Lessee") covering the property municipally known and numbered as 26 Walter Jones, El Paso, Texas.

Motion made Representative Cobos, seconded by Representative Cook and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign on behalf of the City, a Contract of Sale between the CITY OF EL PASO and J.W. CADWELL and LA VERNE CADWELL for the purchase of

Parcel 7 - 3,840 square feet, more or less, being a portion of Lot 14, Block 2, Hueco View Acres, an Addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof recorded in Volume 4, Page 41, of the Plat Records of El Paso County, Texas.

to be used for the Edgemere Extension Project.

Representative Power requested that City staff provide an update in reference to the land acquisition for improvements encompassing the area surrounding Bill Sybert School.

Ms. Terri Cullen-Garney, Deputy City Attorney, provided information regarding the City's acquisition of the parcels.

Ms. Patricia Adatao, Deputy CAO for Building and Planning Services, provided a timeline referencing the construction timeline.

Motion made by Representative Power, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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Motion made Representative Cobos, seconded by Representative Cook and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

WHEREAS, by Resolution dated June 17, 2003, the City Council Adopted the Guidelines for the City Employees Combined Charities Campaign; and

WHEREAS, the objectives of the Combined Charities Campaign include the implementation of a procedure for the solicitation of charitable donations from the City Employees and the establishment of eligibility criteria for charitable organizations, which will be the recipients of these donations; and

WHEREAS, by Resolution dated September 23, 2003, the City Council established a Combined Charities Campaign Executive Committee to act as an advisory body to the Building Permits & Inspections Department in reviewing applications by charitable organizations for eligibility to participate in the Combined Charities Campaign and to oversee the conduct of the Combined Charities Campaign; and

WHEREAS, the City Council desires to continue in effect the Combined Charities Campaign Executive Committee;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Employees Combined Charities Campaign Executive Committee continue to assist in reviewing applications by charitable organizations for eligibility to participate in the City Employees Combined Charities Campaign in making recommendations to the Building Permits & Inspection Department on approval of such applications, and in planning and overseeing the conduct of the Combined Charities Campaign.
2. That the following be nominated to serve as members of the City Employees Combined Charities Campaign Executive Committee for a term of one year, and attend each meeting or send a representative in their place:

<u>Individual</u>	<u>Department</u>
Kenith Adcox	Police Department
Aide Bencomo	Sun Metro
Patrick Chavez	United Way
Araceli Blanca Dyer	Information Technology
Rocio Gonzalez	Building Permits & Inspections
Carmen Hernandez	Library
Mario Hernandez	City County Health District
Greg Muncy	Fire Department
John F. Nance	Office of the City Attorney
Adrian Ocegueda	Mayor's Office
Marlo Tena	Police Department

3. That Carmen Hernandez and Marlo Tena shall be designated as co-chairpersons of the Committee.

Mr. Jorge Artalejo, citizen, commented.

Motion made by Representative Cook, seconded by Representative Lozano and unanimously carried to approve the above Resolution.

Representatives Cushing and Cobos were not present for the vote.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Council hereby establishes a Revised Just Compensation and approves an offer of Revised Just Compensation for the following properties that are proposed to be acquired for the Zaragoza Access Road Improvement Project under the Twenty-ninth Year (2003-2004) Community Development Program:

- Parcel 1: A portion of Tract 21B, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, containing 750 square feet, more or less. Value: \$1,050.00
- Parcel 2: A portion of Tract 21A, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, containing 2,248 square feet, more or less. Value: \$2,698.00
- Parcel 6: A portion of Tract 21C1A, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, containing 749 square feet, more or less. Value: \$1,049.00
- Parcel 7: A portion of Tract 21C1B, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, containing 1,497 square feet, more or less. Value: \$1,797.00
- Parcel 8: A portion of Tract 21F, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, containing 675 square feet, more or less. Value: \$945.00
- Parcel 9: A portion of Tract 21C1C, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, containing 123 square feet, more or less. Value: \$172.00
- Parcel 10: A portion of Tract 21E, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, containing 785 square feet, more or less. Value: \$1,099.00
- Parcel 11: A portion of Tract 21C1, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, containing 731 square feet, more or less. Value: \$1,024.00
- Parcel 13: A portion of Tract 21D, Block 8, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, containing 750 square feet, more or less. Value: \$1,050.00

And that the Mayor be authorized to sign Contracts of Sale with the respective owners for the above-mentioned properties.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement by and between the City of El Paso and the Housing Authority of the City of El Paso (HACEP) for Environmental Assessment Services to be provided by the City to HACEP.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Twenty Two Thousand Five Hundred Seventy And No/100 Dollars (\$22,570.00, Loan-\$10,335.00 and Note-\$12,215.00), against the following described real property:

Lot 3, Block 1, Parkdale Addition, an Addition in the City of El Paso, El Paso County, Texas; according to the plat thereof recorded in Volume 1, Page 57, Plat Records of El Paso County, Texas; known and numbered as 6109 Rusk

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eleven Thousand One Hundred Fifty And No/100 Dollars (\$11,150.00, Loan-\$10,805.00 and Note-\$345.00), against the following described real property:

Lots 17 and 18, Block 20, Altura Park Addition, to the City of El Paso, El Paso County, Texas; known and numbered as 3530 Richmond

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of One Thousand Three Hundred Twenty Two and 24/100 Dollars (\$1,322.24).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Seventeen Thousand Eight Hundred And No/100 Dollars (\$17,800.00, Loan-\$8,180.00 and Note-\$9,620.00), against the following described real property:

Lot 10, Block 3, Desert Hills Subdivision, an Addition in the City of El Paso, El Paso County, Texas; according to the plat thereof on file in Book 9, Page 7, Plat Records of El Paso County, Texas; known and numbered as 4125 Tradewind

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of One Thousand One Hundred Ten and 51/100 Dollars (\$1,110.51).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City of El Paso, be authorized to endorse an insurance proceeds check for property damage made jointly payable to the property owner Irene Alvarez and lienholders, Wells Fargo Home Mortgage and the City of El Paso in relation to the property at 7517 Benson.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event:	Reception
Licensee:	Boys and Girls Clubs of El Paso
Date:	August 4, 2004
Time:	5:00 p.m. - 8:00 p.m.
Area(s):	Patricia and Jonathan Rogers Grand Lobby
Charge for Space:	\$400.00
Charge for Staff (est.):	\$240.00
Charge for Insurance:	\$ 48.00
Rental of Furniture/Equipment:	-0-

NOTE: Resolution was revised to reflect 0 under Rental of Furniture/Equipment.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art.

Event:	Corporate Meeting
Licensee:	Viasystems
Date:	August 11, 2004
Time:	8:30 a.m. - 4:30 p.m.
Area(s):	Seminar Room
Charge for Space:	\$400
Charge for Insurance:	\$48.00

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Fourth Amendment to the Facility Management and Tourism Agreement by and between the City of El Paso and SMG, a Pennsylvania general partnership, to manage the Plaza Theatre in accordance with this agreement.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Professional Services Contract between the City of El Paso and Regnier Consulting Group, Inc. to provide evaluation and an update on the report on loss and allocated loss expense reserves of workers' compensation losses occurring during the fiscal years 1983/1984 to 2003/2004. The total cost for such services shall not exceed the amount of \$6,150.00.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Memorandum of Understanding between the CITY OF EL PASO and the LOCAL 51, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS to amend the Articles of Agreement between the City and the Association to change the number of fire fighters interviewed from the eligibility list for each vacant position.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor sign a letter of Delegation of Authority for the Fire Department addressed to the United States Environmental Protection Agency authorizing Fire Chief Roberto Rivera to sign as the City's authorized representative for the Environmental Protection Agency's "**LOCAL GOVERNMENT REIMBURSEMENT PROGRAM.**" The program is designed to reimburse the City Fire Department for expendable items used on Hazardous Materials Incidents, after the Fire Department has exhausted all means to collect for these expendable items from the responsible party/parties.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

WHEREAS, on October 7, 2003, the City Council of the City of El Paso approved signing the contract with the U.S. Department of Health and Human Services (DHHS)/Program Support Center, accepting the Metropolitan Medical Response System (MMRS) FY03 Program Support contract for \$280,000.00;

WHEREAS, the Metropolitan Medical Response System has been moved to the U.S. Department of Homeland Security;

WHEREAS, the Federal Emergency Management Agency (FEMA) will now be the Federal Agency that will provide the oversight for the MMRS Program;

WHEREAS, the contract has been modified by FEMA, allowing the City of El Paso to go forward with the program.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Council accept and that the Mayor be authorized to sign the contract modifications, and any subsequent documentation related to the Metropolitan Medical Response System (MMRS) FY03 Program Support contract for \$280,000.00, passed and approved by the City Council on October 7, 2003. The contract and associated forms are required in order for the City of El Paso to receive the \$280,000.00 that were awarded unilaterally to sustain the El Paso MMRS terrorism program. The period of performance for this contract is September 30, 2003 to May 31, 2005, and will be administered by the El Paso City/County Office of Emergency Management. There is no cost to the City of El Paso.

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 *RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of **LANDSCAPE INSPECTOR** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **9166**. The Grade shall be **GS 22**.

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 *RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of **LANDSCAPE PLAN REVIEWER** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **9756**. The Grade shall be **GS 26**.

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 *RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.

SAN JUAN RECREATION CENTER

 DEPARTMENT ID: 51510123, ACCOUNT 502214

- CONTRACTOR: Reina Bañuelos, Folklorico Instructor
 DATES: August 04, 2004 through August 31, 2004
 RATE PER CL: \$8.00
 MAXIMUM AMT: \$136.00
 CONTRACT: **2003/2004-170**

SPECIAL EVENTS & PROMOTIONS/LINCOLN CENTER

 DEPARTMENT ID: 51010282, ACCOUNT 503116

- CONTRACTOR: El Paso Umpires Association, 2 Referees for Basketball League
 DATES: August 06, 2004 through August 29, 2004
 RATE PER CL: \$20.00
 MAXIMUM AMT: \$3760.00
 CONTRACT: **2004/2004-171**

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.

AQUATICS

DEPARTMENT ID: 51010281, ACCOUNT 501011

1. CONTRACTOR: Shawn M. Jordan, Lifeguard Step 3
DATES: August 04, 2004 through September 30, 2004
RATE PER HR: \$6.20
CONTRACT NO: **2003/2004-303**

2. CONTRACTOR: Perla A. Retana, Pool Attendant, Step 2
DATES: August 04, 2004 through September 30, 2004
RATE PER HR: \$5.60
CONTRACT NO: **2003/2004-304**

3. CONTRACTOR: Joshua D. Solorza, Lifeguard , Step 2
DATES: August 04, 2004 through September 30, 2004
RATE PER HR: \$6.00
CONTRACT NO: **2003/2004-305**

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contract on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for this contract is in fiscal year **2004/2005** appropriations to be approved by the City Council.

MULTI-PURPOSE RECREATION CENTER

DEPARTMENT ID: 51150056, ACCOUNT 501011

1. CONTRACTOR: Carlos A. Meza, Instructor for CDBG Program
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$6.35
CONTRACT NO: **2004/2005-016**

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2004/2005** appropriations to be approved by the City Council.

ACOSTA SPORTS CENTER

DEPARTMENT ID: 51010215, ACCOUNT: 502215

1. CONTRACTOR: Edward Adams, Softball Field Supervisor
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$11.25
CONTRACT NO: **2004/2005-011**
2. CONTRACTOR: Edward Adams, Softball Score Keeper
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$10.00
CONTRACT NO: **2004/2005-012**
3. CONTRACTOR: Javier Aguinaga, Softball Field Supervisor
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$11.00
CONTRACT NO: **2004/2005-013**
4. CONTRACTOR: Javier Aguinaga, Softball Score Keeper
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$10.00
CONTRACT NO: **2004/2005-014**
5. CONTRACTOR: Jose Aguinaga, Softball Field Supervisor
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$11.25
CONTRACT NO: **2004/2005-015**
6. CONTRACTOR: Jose Aguinaga, Softball Score Keeper
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$10.00
CONTRACT NO: **2004/2005-016**
7. CONTRACTOR: El Paso Football Officials of Texas, 3 Football Officials
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$72.00
CONTRACT NO: **2004/2005-017**
8. CONTRACTOR: El Paso Umpires Association, Score Keepers for Football
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$84.00
CONTRACT NO: **2004/2005-018**
9. CONTRACTOR: El Paso Umpires Association, Softball Field Supervisor
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$12.25
CONTRACT NO: **2004/2005-019**
10. CONTRACTOR: El Paso Umpires Association, Softball Umpires
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$16.00
CONTRACT NO: **2004/2005-020**

11. CONTRACTOR: El Paso Umpires Association, Softball Umpire Assigner
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$1.00
CONTRACT NO: **2004/2005-021**
12. CONTRACTOR: Gerardo Garcia, Softball Field Supervisor
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$11.25
CONTRACT NO: **2004/2005-022**
13. CONTRACTOR: Gerardo Garcia, Softball Score Keeper
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$10.00
CONTRACT NO: **2004/2005-023**
14. CONTRACTOR: George Heredia, Softball Field Supervisor
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$11.25
CONTRACT NO: **2004/2005-024**
15. CONTRACTOR: George Heredia, Softball Umpire Assigner
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$1.00
CONTRACT NO: **2004/2005-025**
16. CONTRACTOR: George Heredia, Softball Umpire
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$16.00
CONTRACT NO: **2004/2005-026**
17. CONTRACTOR: Nancy Jackson, Softball Field Supervisor
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$12.00
CONTRACT NO: **2004/2005-027**
18. CONTRACTOR: Sun City Officials Association, Officials/Scorekeepers for Football
DATES: September 01, 2004 through August 31, 2005
RATES PER HR: \$84.00
CONTRACT NO: **2004/2005-028**

HILOS DE PLATA SENIOR CENTER

DEPARTMENT ID: 51510206, ACCOUNT: 502214

19. CONTRACTOR: Norma Hernandez, Ceramics Instructor
DATES: September 06, 2004 through August 29, 2005
RATES PER HR: \$31.60
CONTRACT NO: **2004/2005-029**

MULTI-PURPOSE COMMUNITY CENTER
DEPARTMENT ID: 51510032, ACCOUNT: 502214

20. CONTRACTOR: Martha Castillo, Ballet Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATES PER HR: \$9.00
 CONTRACT NO: **2004/2005-030**

21. CONTRACTOR: Arlow Cruz, Step Aerobics Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATES PER HR: \$9.00
 CONTRACT NO: **2004/2005-031**

22. CONTRACTOR: Monica Esqueda, Kickboxing Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATES PER HR: \$10.00
 CONTRACT NO: **2004/2005-032**

23. CONTRACTOR: Marcela Macias, Aerobics Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATES PER HR: \$9.00
 CONTRACT NO: **2004/2005-033**

24. CONTRACTOR: Arturo Saldana, Piano Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATES PER HR: \$9.00
 CONTRACT NO: **2004/2005-034**

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Interlocal Agreement with El Paso County Community College District and Canutillo Independent School District providing for access by the City, during grading and construction, to the proposed site of the Westside Sports Complex, to be located on a portion of Tract 1A, Nellie Mundy Survey No. 240, El Paso, El Paso County, Texas.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign release of liens on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these Solid Waste Management liens for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
828 Singing Hills Drive	\$ 76.86	\$ 27.59	\$104.45
828 Singing Hills Drive	\$140.73	\$ 74.03	\$214.76

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign release of liens on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these liens for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
4750 Pine Creek	\$111.50	\$ 2.16	\$113.66
4750 Pine Creek	\$304.18	\$127.30	\$431.48

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign release of liens on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these Solid Waste Management liens for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
2715 Lebanon Avenue	\$208.38	\$ 12.90	\$221.28
2715 Lebanon Avenue	\$214.88	\$ 5.82	\$220.70

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this Solid Waste Management lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
3420 Morenci Road	\$206.76	\$ 88.48	\$295.24

***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

.164 acre, more or less, being out of 2.00 acres in George L. Wilson, Survey #91, Abstract 2716, being more particularly described in Volume 905, Page 181, Deed Records of El Paso County, Texas. (PID #X091-999-000A-0100)

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***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Lot 19, Block B, of the Deal Addition to Ascarate, being Tract 8-E, Block 2, Ascarate, an Addition to the City of El Paso, being more particularly described in Volume 955, Page 134, Deed Records of El Paso County, Texas. (PID #D317-999-000B-9100)

.....
***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Lots 37 and 38, Block 6, Future Land Unit 1, an Addition to the City of El Paso, being more particularly described in Volume 2499, Page 1119, Deed Records of El Paso County, Texas. (PID #F950-999-0060-3700)

.....
***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Lots 22 and 23, Block 33, Bassett Addition, City of El Paso, El Paso County, Texas, being more particularly described in Volume 1880, Page 270, Deed Records of El Paso County, Texas. (PID #B202-999-0330-5700 and PID #B202-999-0330-5701)

***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Lot 48, Singh Addition, an Addition to the City of El Paso, being more particularly described by the map or plat thereof in Volume 15, Page 57, Deed Record, El Paso County, Texas. (PID #S445-999-0010-4800)

***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 31st day of August, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 10600 Michelle Lane, in El Paso, Texas, which property is more particularly described as:

Lot: 43, Block 27, Apollo Heights Unit Eight, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 49 Page 17 Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Charles E. Martin, 10600 Michelle Lane, El Paso, Texas 79924, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 31st day of August, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 7429 Rose Circle, in El Paso, Texas, which property is more particularly described as:

Paisano, Pt. of 23 Beg. 39 Ft. W of NEC (178.18 Ft. on N, 125.72 Ft. on E, 155.28 Ft. on S, Irreg on St)

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Teresa L. Lerma and Eduardo N. Lerma, 1417 Montana Avenue, El Paso, Texas 79902, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

Drainage Improvements:

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request to fill the following position on a temporary basis in accordance with Article VI, Section 6.6-3. of the Civil Service Charter Provisions:

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the Staffing Table Change for SOLID WASTE MANAGEMENT

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to reappoint Lidia Flynn to the Greater El Paso Civic, Convention, and Tourism Advisory Board by Mayor Pro Tempore Anthony W. Cobos, District 8.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to appoint Jamie Barron to the Community Development Steering Committee by Representative Robert A. Cushing, Jr., District 2.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to appoint Al Perez to the Community Development Steering Committee by Representative John F. Cook, District 4.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #1995-999-0511-0034, \$198.83 per month installments on a balance of \$2,385.96 for 2001, 2002 & 2003 taxes; Sunrise Games & Cards % Cora Garcia - 8500 Dyer.
- B. PID #P654-999-0010-1500, \$392.95 per month installments on a balance of \$2,357.70 for 2002 & 2003 taxes; Frances Silva – 10605 Cardigan Dr.

.....
 *Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried that the following tax refunds be approved:

- A. National City Mortgage in the amount of \$2,959.35 overpayment of 2002 taxes.
 (PID #C340-999-103A-0900)
- B. Chase Manhattan Mortgage Corp. in the amount of \$19,557.09, overpayment of 2003 taxes.
 (PID #L790-000-0010-0100)
- C. Countrywide Tax Services Corporation in the amount of \$2,844.44 overpayment of 2003 taxes.
 (PID #V897-999-0520-1100)
- D. Washington Mutual in the amount of \$2,347.71 overpayment of 2003 taxes.
 (PID #V927-999-0320-3950)

.....
 *Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week the request to allocate \$2,350.00 from District #3 Discretionary Funds to provide a speed hump on Franklin and Dale Road.

.....
 *Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request to allocate \$250.00 from District 2 Discretionary Funds to assist in the "Neighborhood Summit" being held August 28, 2004, conducted by the City Neighborhood's First initiative.

.....
 Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to move to the Regular Agenda the request for authorization to allocate Two Thousand Dollars (\$2,000.00) from District IV Discretionary Funds to the El Paso Fire Combat Challenge Team, to help with transportation costs to compete in the Fire Fighters Combat Challenge events. Representative Cook hereby issues a challenge to the rest of the City Council members to match this donation to make is possible for our Fire Department to compete.

Representative Cook thanked the Council Members for accepting his challenge last year and noted that as a result of their generous contributions, the El Paso Fire Fighters Combat Challenge team was able to compete.

Lt. Dave Valero, 10-year Fire Department veteran and Captain of the El Paso Fire Fighters Combat Challenge team, thanked the Council Members for making it possible for the team to compete in last year's competition and the Fire Department Administration for their support. He noted that the Combat Challenge team was ranked Number 1 in the State of Texas and 11 in the world. He explained that the cost for the nine-member (possibly 10) team for four trips would be approximately \$20,000 and elaborated on the five events contained with the Combat Challenge itself. He answered questions from and responded to comments made by the Council Members.

Mayor Joe Wardy asked why monies for the Combat Challenge team were not requested as a separate line item in the Fire Department's budget.

Assistant Fire Chief Michael Widtfeldt concurred with Mayor Wardy's concern and stated that the Fire Department had discussed the matter previously with the OMB Department.

Representative Power asked whether utilizing discretionary funds would be within the realm of "public purpose". He added that he would meet Representative Cook's challenge.

Ms. Lisa A. Elizondo, City Attorney, responded to questions of Representatives Power and Lozano regarding allocation of discretionary funds and requirements of "public purpose".

Mr. Marvin Foust, Assistant City Attorney, provided additional legal advice regarding the utilization of discretionary funds.

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to approve the request to allocate Two Thousand Dollars (\$2,000.00) from District IV Discretionary Funds to the El Paso Fire Combat Challenge Team, to help with transportation costs to compete in the Fire Fighters Combat Challenge events. Representative Cook hereby issues a challenge to the rest of the City Council members to match this donation to make is possible for our Fire Department to compete.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to authorize use of District IV discretionary funds in the amount of Two Hundred Fifty Dollars (\$250.00) to assist with the "Neighborhood Summit" being held August 28, 2004, conducted by the City of El Paso's Neighborhood's First initiative.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to authorize use of District 5 discretionary funds in the amount of \$250.00 to assist in the "Neighborhood Summit" being held August 28, 2004, conducted by the City Neighborhood's First initiative.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to authorize use of District 5 discretionary funds in the amount of \$1,500 for 3 tool sheds for Keep El Paso Beautiful Community Tool sheds program.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to allocate \$250 from District No. 6 Council Special Projects (discretionary funds) to assist in the "Neighborhood Summit," being held August 28, 2004, conducted by the City Neighborhood's First Initiative.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to disburse \$1,000 from District VII Discretionary Funds for the Keep El Paso Beautiful Community Tool Sheds program at **Fire Station #24 [1498 Lomaland] (\$500) and Fire Station #18 [7901 San Jose Rd] (\$500).**

NOTE: Request was revised to change the word **"for** Fire Station #24..." to **"at** Fire Station #24..."

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to authorize use of District 8 discretionary funds in the amount of \$250.00 to assist in the "Neighborhood Summit" being held August 28, 2004, conducted by the City Neighborhood's First Initiative.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to authorize use of District 8 discretionary funds in the amount of \$1,000 for 2 tool sheds for Keep El Paso Beautiful Community Tool Sheds Program.

*Motion made Representative Cobos, seconded by Representative Cook and unanimously carried to approve Building Permit refund to Gilbert Alonzo in the amount of \$634.25.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve budget transfer BT2004-993 FLEET SERVICES

Appropriation increase to cover future fuel expenditures for FY04.

Increase	\$200,000	to	37370510/45202/503124	Fuel Inv Purch
Increase	\$200,000	to	37370510/45202/404352	Fuel&LubChg

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve budget transfer BT2004-1001 PARKS AND RECREATION

This budget transfer requests an appropriation increase for irrigation water. Parks has exceeded its water budget in order to ensure adequate turf for tournaments hosted by Sports.

Increase	\$50,000	to	51010215/P50020216302/407002	Est Rev
Increase	\$50,000	to	51010215/P50020216302/504101	Water

.....
Motion made by Representative Austin, seconded by Representative Cobos and unanimously carried to reconsider the request of Kern Place Merchants Association to use amplification (4 speakers) at the corner of Cincinnati and Mesa (2 speakers will be located East of Cincinnati/Mesa & 2 speakers will be located north of Cincinnati/ Mesa) on August 28, 2004, September 11, 2004, September 12, 2004, and October 31, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 20 persons will take part and 4,500 spectators are anticipated. PERMIT NO. 04-070 [Kenneth Rico Velasquez]

Representative Power was not present for the vote.

Motion made by Representative Austin, seconded by Representative Cushing and unanimously carried to postpone one (1) week the request of Kern Place Merchants Association to use amplification (4 speakers) at the corner of Cincinnati and Mesa (2 speakers will be located East of Cincinnati/Mesa & 2 speakers will be located north of Cincinnati/ Mesa) on August 28, 2004, September 11, 2004, September 12, 2004, and October 31, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 20 persons will take part and 4,500 spectators are anticipated. PERMIT NO. 04-070 [Kenneth Rico Velasquez]

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request of Avelardo A. Chavez to block off 1400 block of Sara Danielle on August 7, 2004 from 7:00 p.m. to 12:00 a.m. for a block party. Approximately 200 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (1000 watts, 8 microphones, & 4-8 speakers). PERMIT NO. 04-071 [Avelardo A. Chavez]

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request of Leo Valdez to block off 11739-11749 Ronald McNair between Marlys Larson and Challenger on August 7, 2004 from 7:00 p.m. to 11:00 p.m. for a block party. Approximately 27 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (discotech-4 speakers and 1 amplifier). PERMIT NO. 04-074 [Leo Valdez]

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request of Laura Aros to block off Bell Tower between Yellow Rose and Sunset Rose, and block off Angel Face between Palm Grove and Red Oaks Lane on August 3, 2004 from 6:00 p.m. to 10:00 p.m. for a National Night Out block party. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". Approximately 200 persons will take part and 250 spectators are anticipated. PERMIT NO. 04-075 [Laura Aros]

.....
Motion made by Representative Cushing, seconded by Representative Cobos and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

Representative Austin was not present for the vote.

- A. An Ordinance granting a Special Privilege to Kern Place Merchants Association to temporarily close a portion of Cincinnati Ave. between Mesa Street and Stanton Street for a "Schools Out" celebration on Saturday, August 28, 2004 and Sunday, August 29, 2004. (*Consideration: \$137.50, SP-04002*)
- B. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection (A) of the El Paso Municipal Code, by adding three new locations on Resler Drive. The Penalty being as provided in Section 12.88.180 of The El Paso Municipal Code.
- C. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection (A) of The El Paso Municipal Code, by adding three new locations on Redd Road. The Penalty being as provided in Section 12.88.180 of The El Paso Municipal Code.
- D. An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 16, Hearings, Section 2, Continuance of Appeals Hearings, to change the procedures for requesting and granting a continuance.
- E. An Ordinance authorizing the Mayor to execute a Quitclaim (Tax Resale) Deed for Lot 1, Block 14, Horizon City Estates, Unit #93, being more particularly described in Volume 986, Page 1240, Deed Records of El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON AUGUST 17, 2004 FOR ITEMS A – E

- F. An Ordinance granting Special Permit No. ZON04-00004 to satisfy parking requirements for Parcel I, described as a 49.4544 Acre Portion of Tract 3A, Nellie D. Mundy Survey No. 240, El Paso, El Paso County, Texas; by allowing off-site off-street parking on Parcel 2, described as Tract 1-A-1, Nellie D. Mundy Survey No. 240, El Paso, El Paso County, Texas, pursuant to Section 20.12.040. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Canutillo Independent School District / Representative: Dimensions Architects International, 4150 Rio Bravo, Suite 102, El Paso, TX 79902
- G. An Ordinance changing the zoning of Lots 1 and 2, Block 87, East El Paso, El Paso, El Paso County, Texas (3501 Yandell) from R-5 (Residential) to S-D (Special Development) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00059. Applicant: Raul Mijares / Representative: Kistenmacher Engineering, Inc., 1420 Geronimo, Suite A-2, El Paso, TX 79925

PUBLIC HEARING WILL BE HELD ON AUGUST 24, 2004 FOR ITEMS F - G

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

.....
 *Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to delete the discussion and action concerning the justification, if any, including but not limited to traffic studies, requestor/s of traffic control signage, etc., for the placement of multiple stop signs at the intersections/s of Mayfield Terrace, Memphis Street, Kentucky Street, and Red Canyon, in a low traffic density residential neighborhood, and additionally discussion and action on the same issues with respect to the placement of speed signage in the same respective area/s.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week the discussion and action on a tourism budget proposal for billboards, brochures, signage, and bus wraps.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week the discussion and action that the City of El Paso partner with the Empowerment Zone on the development of Texas Avenue as a tourism district, and instruct staff to prepare proposal(s) to be presented to city council within 180 days.

.....
No action was taken on the discussion and action on the Mayor's policy of prohibiting open communication between the departments and City Representatives.

Representative Cook referenced a memo dated July 13, 2004, written by Mr. Jim Martinez, Chief Administrative Officer, to Mr. Juan Sandoval, Tax Assessor Collector and read the following language into the record "the Mayor had clearly instructed all Department Directors to refrain from lobbying Council or individual Council Representatives regarding the budget and operational issues" . . . He asked the Mayor to explain what "lobbying Council" meant.

Mayor Joe Wardy responded that lobbying Council meant seeking favor of a Council Member for a particular program and added that to keep integrity to the budget process, Department Heads should discuss their budgets, including making changes or requesting changes, at the podium, in open session, in front of the Council Members. He added that he had instructed Mr. Martinez, verbatim, on how to write the memo.

Representative Cushing commented on interpreting the memo's intent.

Representative Austin asked whether or not it was appropriate for Mr. Sandoval to express his concerns regarding the consolidation of the Tax Department into the Comptrollers Department before the Council.

Representative Power opined that Mr. Sandoval had interpreted the intent of the memo differently.

Representative Cook read into record the following memo language "violation of this directive would be considered insubordination and would result in disciplinary action up to and including termination". He added that that statement was threatening to Department Heads, open for interpretation, and not appropriate prior to the budget hearings.

Representative Rojas concurred with Representative Power's comment and added that after reading the memo City staff may be uncomfortable speaking up at budget hearing meetings, as the Mayor would be present.

Mr. Jim Martinez, Chief Administrative Officer, stated that the Department Directors are expected to comply with instructions given by the Mayor and added that the other 30 Directors had no problem with the Mayor's instructions.

Representative Cobos understood that Mr. Sandoval had rescinded his resignation and commented on a select number of Department Heads lobbying the Council at the FY2004 Budget Hearings.

Representative Power noted that he relied upon experts in their field to provide open and honest information so that he might make the proper decisions.

Mr. Bill Chapman, Deputy Chief Administrative Officer for Financial and Administrative Services, stated that he had not received any notification regarding Mr. Sandoval rescinding his resignation. He clarified that it was his understanding Department Heads were never allowed to lobby the Council Members.

Ms. Lisa Turner, citizen, asked the Mayor whether the Council Members could request that the Department Heads meet with them to discuss their budgets.

Mayor Wardy responded that it was the right of Council Members to meet and discuss the City's budget with all Department Heads; however, added that it was inappropriate for Department Heads to lobby the individual City Representatives.

Mr. Martinez clarified that the "memo" was actually an email that he had sent to Mr. Sandoval and not directed to anyone else.

Representative Austin asked if a memo had been written to the Directors about "lobbying".

Mr. Martinez responded no, not from him.

Mayor Wardy added that he had explained the budget guidelines to all City Directors during a Staff Meeting.

.....
Motion made by Representative Cook, seconded by Representative Power and unanimously carried to delete the discussion and action on reconsidering City Council's plan for distribution of CDBG funds for social services.

Representative Austin stated that she had filed an affidavit (affidavit on file in the City Clerk's Office) and would abstain from the discussion and the vote.

Representative Escobar was not present for the vote.

Representative Cushing asked whether or not the agenda language was posted properly due to two issues:

1. was the issue posted clearly to allow knowledge to the public; and
2. reconsidering an item can only occur at the meeting at which the action happened.

Representative Cook responded to Representative Cushing's second issue and read into the record the definition of "consider" as per the *American Heritage Dictionary*.

Ms. Leigh Ann Koehler, Assistant City Attorney, provided legal advice and recommended that the Legal Department assist in composing the agenda language for the following City Council Agenda.

Ms. Diana Nuñez, Deputy City Clerk, explained that the City Clerk's Office received Representative Cook's request to place the item on the agenda, Thursday, July 29th, at 11:39 a.m.

Representative Cook objected to the lack of notification from the City Attorney's Office staff regarding the language as posted on the agenda. He apologized to the five members of the public who had come to the Council meeting to address the issue.

Ms. Lisa A. Elizondo, City Attorney, responded that the City Attorney's staff members, Ms. Lee Ann Koehler and Ms. Elaine Hengen, Assistant City Attorneys, were unavailable last week and were unable to review the posted language. She encouraged the Council Members and/or member's of the Mayor's office to consult with the City Attorney's Office prior to submitting items to the City Clerk's office for the agenda.

Representatives Cobos and Rojas spoke in favor of reconsidering the CDBG funding distribution.

Representative Cook asked the City Attorney's Office to research whether or not it was appropriate for Representative Austin to abstain from any matter regarding CDBG funding.

Ms. Elizondo responded that the request would be more appropriate if it came from Representative Austin.

.....

Motion made by Representative Cobos, seconded by Representative Austin and unanimously carried to postpone one (1) week the approval of El Paso County 911 District FY04-05 budget.

Representative Cook reminded the Council that no City funds were utilized to support the El Paso County 911 District.

Mr. Joseph Lorkowski, Director of El Paso County 911 District, explained that the 911 District was required, by law to seek the approval, answer questions from and respond to comments made by the participating jurisdictions regarding its budget. He displayed the 911 District budget (on file in the City Clerk's office) for public information.

Representative Austin asked questions regarding the District's \$1.2 million operating expenses.

Representative Power made comments regarding the FY2004 proposal to consolidate the Fire and Police dispatchers and asked whether those dispatchers would be cross-trained.

Mr. Lorkowski explained that the dispatchers would "co-locate" and that call taking and dispatching were two different functions. He added that the 911 District provided the computer and telephone equipment utilized by the call takers and dispatchers and observed the functions of those positions.

Fire Assistant Chief Michael Widtfeldt explained that the Police and Fire Departments were in support of the 911 District's budget and had no critical change to either police or fire dispatching functions.

Representative Rojas asked whether or not the Rio Grande Council of Governments provided funding.

Mr. Lorkowski responded no.

Mr. Bill Chapman, Deputy Chief Administrative Officer for Financial and Administrative Services, asked that the item be postponed as he had not had an opportunity to review the District's budget.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

Bid No.:	2004-178	Lower Valley Branch Library
Contractor:		Banes General Contractors, Inc.
		El Paso, Texas
Motion made by Representative Cook, seconded by Representative Cushing and carried to postpone one (1) week Bid No. 2004-178 Lower Valley Branch Library		
Contractor:	Banes General Contractors, Inc.	
	El Paso, Texas	
Department:	Library	
Funds Available:	31130562-60004-PPW0056006YR2-508027	
Funding Source:	2000 Quality of Life Bonds	
Items:	Base Bid I	\$2,130,000.00
	Alternate 7 to Base Bid I	<u>\$ 6,900.00</u>
Total Award:		\$2,136,900.00

The Departments of Purchasing, Engineering, and Library recommend award of this contract to Banes General Contractors, Inc. City Council hereby finds that this Offeror has provided the Best Value Proposal to the City. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

AYES: Representatives Austin, Cushing, Lozano, Cook, Power and Escobar

NAYS: Representatives Rojas and Cobos

Mr. Byron Johnson, Director of Purchasing, provided background information regarding the Best Value Bid for the Lower Valley Branch Library. He noted that the issue before the Council was in regard to Jan-Car's, lowest bidder, the protest by Jan-Car, due to the company not receiving points under the "Health Benefits" section within the Best Value bid criteria. He answered questions from and responded to comments made by the Council Members.

Mr. Bob Jarvis and Ms. Janie Kollar, representing Jan-Car, Inc., spoke in opposition to the bid award and answered questions from and responded to comments made by the Council Members.

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*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week an Ordinance Amending Title 18 (Building and Construction), by creating Chapter 18.11 (Barrier Free Construction), to require Specific Design Features to create barrier-free construction in new Single Family Dwellings, Duplexes, Triplexes, and Townhomes constructed within approved subdivisions. The penalty as being provided in Chapter 1.08.
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RESOLUTION

WHEREAS, the Director for Building Permits and Inspections of the City of El Paso has conducted an investigation and has reported to the City Council in writing that he is of the opinion that the structure located on the property at 3103 Isla Verde Circle in El Paso, Texas, which property is more particularly described as follows:

Lot: 13, Block 1, Playa De Oro Replat A, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 50, Page 19, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Aurora Loan Services, Inc., 601 Fifth Avenue, Scottsbluff, Nebraska 69361, record Owner, and all mortgagees and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on August 3rd, 2004; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is unsafe, substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating structural integrity and disposal of refuse; and

- c. The structure's certificate of occupancy is hereby revoked; and
 - d. The structure can be repaired.
2. That the City Council hereby orders Owner to comply with the following requirements:
 - a. That the Building be secured within (30) days; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
 - c. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
 - d. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
 - e. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and
 3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections may secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
 4. That said Owner shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and
 5. That the costs incurred by the City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
 6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City may perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
 7. That upon failure of the Owner, any mortgagees or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
 8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within thirty (30) days after notice of this Resolution. The findings shall become final after thirty (30) days of receipt of Notice; and

9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits and Inspections, presented the case to Council Members and gave the department's recommendation(s).

The Deputy City Clerk called for public comment. There was no public comment.

Motion made by Representative Power, seconded by Representative Cook and unanimously carried to approve the above resolution. Representative Cobos was not present for the vote.

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ORDINANCE 15840

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8065, CIVIL SERVICE RULES AND REGULATIONS, RULE 20, LAY-OFF, JOB RIGHTS, REINSTATEMENT, TO AMEND THE LAY-OFF AND REINSTATEMENT PROCEDURES.**

Representative Power asked whether the Department Heads were agreeable to the Ordinance language and asked the Council to take into consideration the Departments Heads ability to manage their departments and fulfill their job descriptions.

Mr. Jim Martinez, Chief Administrative Officer, stated that the Department Heads were opposed to the exclusion of the six-month probation language regarding transferred employees.

Representative Cushing remarked that individuals who had passed their probation were considered City employees and not subject to an additional probationary period

Ms. Terry A. Bond, Director of Human Resources, asked whether the revision and amendment, as read into the record at last week's City Council meeting, were included in the motion to approve.

The Deputy City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Austin, that the Ordinance be adopted, *as amended and revised*. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos
NAYS:	Council Member Power
	Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted as amended and revised.

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*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week the Resolution approving Detailed Site Development Plan No. ZON03-00010, for Tract 16A1 and Tract 16A1A, A. F. Miller Survey No. 213, El Paso, El Paso County, Texas (East of Resler Drive and South of Mesa Street), pursuant to a special contract imposed by Ordinance No. 9198. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Hunt Building Corporation and Resler Interstate 10 Development Co., Inc. / Representative: Moreno Cardenas, Inc.; 2505 Missouri Avenue, Suite 100, El Paso, TX 79903.

Representative Cook suggested that the members of public who came to the Council meeting be allowed to speak on the matter.

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*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone two (2) weeks an Ordinance changing the zoning of a portion of Tract 225, Sunrise Acres No. Two, El Paso, El Paso County, Texas (4650 Vulcan Drive) from R-4 (Residential) to A-M (Apartment-Mobile Home Park). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Martha P. Yee / Representative: Luis De La Cruz, 9013 Lait Drive, El Paso, TX 79925. ZON04-00045

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Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to move the matter to the forefront of the Agenda.

ORDINANCE 15841

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF PIZARRO ROAD ADJACENT TO LOT 9, BLOCK 59 AND LOT 13, BLOCK 71, CORONADO HILLS SUBDIVISION UNIT 6, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Mr. Rudy Valdez, Chief Urban Planner, gave a PowerPoint presentation and explained that Pizarro was a dead end street. He explained that the proposed property vacation had been initiated by the property owner of the two adjacent lots and added that the property owner had requested the vacation so as to remove an eyesore and incorporate a portion of the right-of-way within the lots that he currently owned. Mr. Valdez stated that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) had recommended denial of the request as presented by the applicant and explained the reasoning for the denial.

Mr. Terry Squier, Property Owner, stated that the purchase of the property would make his investment properties more suitable to rent, gave a PowerPoint presentation (on file in the City Clerk's office) and answered questions from and responded to comments made by the Council Members. He stated that the Resler Canyon development would desperately affect the ability to rent his properties.

Representative Cobos moved to approve. Representative Cushing seconded.

Mr. Matt Watson, Assistant City Attorney, requested that, at the will of the Council that they recess into Executive Session.

Representative Austin asked Mr. Watson whether he was prepared to address the street closures of Cadiz and Marcena. She moved to retire into Executive Session. There was no second.

The following members of the public spoke in opposition to the Pizarro Road vacation:

1. Mr. Roberto Moreno, Resler Interstate 10 Development Co., Inc., representative; and
2. Mr. Frank Ainsa, attorney representing Resler Interstate 10 Development Co., Inc. and Hunt Building Corporation.

Representative Austin displayed and discussed two memos (on file in the City Clerk's office) relative to the Alto Mesa traffic study.

Representative Cook asked Mr. Moreno whether or not it would be more logical to utilize Alto Mesa as an access road for the Resler Canyon development.

Representative Cobos asked Representative Cushing to withdraw his second to allow him to amend his motion. Representative Cushing withdrew his second.

Representative Cobos moved to approve the item and that the Mayor be authorized to sign a Quitclaim Deed conveying the affected property, subject to review of funds in the amount of fair market value, no later than 30 days following today's date. Representative Cushing seconded.

Representative Austin asked that her motion to retire into executive session be considered and reiterated her motion to retire into executive session. There was no second.

The Deputy City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Cushing, that the Ordinance be adopted, *as amended*. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Cushing, Lozano, Power, Rojas and Cobos		
NAYS:	Council Members Austin, Cook, Escobar	Absent:	None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted, as amended.

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ORDINANCE 15842

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A TEN-FOOT (10') UTILITY EASEMENT LOCATED WITHIN A PORTION OF LOTS 13A AND 13B, COUNTRY CLUB PLACE SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Mr. Rudy Valdez, Chief Urban Planner, explained the proposed use of the vacation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended unanimous approval.

The Deputy City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos		
NAYS:	None	Absent:	None

Council Member Power was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 15843

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A THIRTY-FOOT (30') WIDE UTILITY EASEMENT LOCATED WITHIN A PORTION OF LOT 2, BLOCK 2, PARK WEST UNIT ONE, REPLAT "B" AND A PORTION OF LOT 4, BLOCK 2, PARK WEST UNIT ONE REPLAT "C", CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Mr. Rudy Valdez, Chief Urban Planner, explained the proposed use of the vacation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended unanimous approval.

The Deputy City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos
NAYS: None Absent: None

Council Member Power was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ADDITION TO THE AGENDA

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request of David Villalba to use amplification (5 microphones and 7 speakers) at Album Park on August 8, 2004 from 11:00 a.m. to 6:00 p.m. Approximately 30 persons will take part and 100 spectators are anticipated. PERMIT NO. 04-076 [David Villalba]

Item: Discussion and action to review the changes and/or transfer of functions of the City Tax Assessor-Collector and the City Tax Office. This is a matter of the sort which the new City Manager should be involved/included in deciding, especially if any negative economic impact would result from the changes being recommended to the present City Tax Office, as well as the serious consideration of any potential economic harm/hardship that could be brought upon the City of El Paso and all its affiliated taxing entities.

Motion made by Representative Lozano, seconded by Representative Cushing and unanimously carried to fully discuss and review this matter fully as a separate line item in the budget resolution with new considerations pending the appointment of the City Manager.

Representative Lozano opened the discussion, asked that the item be further reviewed and that the matter be discussed further with the City Manager.


Mayor Joe Wardy explained that the Tax Department consolidation proposal was a proposed budgetary option.

Representative Cushing asked whether the proposed reorganization would be considered as a separate line item in the budget.

Representative Cobos explained that the issue would be discussed in its entirety at the Budget Hearing Wrap-Up scheduled for Monday, August 9, 2004 and added that Mr. Sandoval had rescinded his resignation.

Motion made by Representative Austin, seconded by Representative Cook and unanimously carried to adjourn this meeting at 12:14 p.m.

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APPROVED AS TO CONTENT:



Richarda Duffy Momsen, City Clerk